

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DR. HOMAYOON KAZEROONI,

PLAINTIFF,

V.

INGERSOLL-RAND COMPANY,

DEFENDANT.

CASE NO. 05-72616

HONORABLE ARTHUR J. TARNOW
UNITED STATES DISTRICT JUDGE

**ORDER GRANTING DEFENDANT'S MOTION FOR JUDGMENT ON THE
PLEADINGS ON COUNTS II & III AND DENYING DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT ON COUNT I**

Having read the parties briefs and listened to the arguments presented by the parties at hearing on June 26, 2006, for the reasons stated on the record

IT IS HEREBY ORDERED that Defendant's Motion for Judgment on the Pleadings is **GRANTED** causing the claims of Trade Secret Misappropriation and Unjust Enrichment to be **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment is **DENIED** and the Plaintiff's breach of contract claim shall remain to be interpreted under the laws of California.

IT IS FURTHER ORDERED that discovery will end Friday September 29, 2006.

s/Arthur J. Tarnow

Arthur J. Tarnow
United States District Judge

Dated: June 30, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 30, 2006, by electronic and/or ordinary mail.

s/Theresa E. Taylor

Case Manager